

# ARKANSAS REGISTER

## Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State

**John Thurston**

500 Woodlane, Suite 026

Little Rock, Arkansas 72201-1094

(501) 682-5070

[www.sos.arkansas.gov](http://www.sos.arkansas.gov)



For Office

Use Only:

Effective Date \_\_\_\_\_ Code Number \_\_\_\_\_

Name of Agency Department of Human Services

Department Division of Children & Family Services

Contact Mac E. Golden E-mail Mac.E.Golden@dhs.arkansas.gov Phone 501.320.6383

Statutory Authority for Promulgating Rules Arkansas Code §§ 9-28-103 and 25-10-129

Rule Title: Financial Support to Resource Parents

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Date

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Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Toni Roy

toni.roy@dhs.arkansas.gov

February 16, 2024

Contact Person

E-mail Address

Date

### CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted  
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)

Tiffany Wright

Signature

(501) 396.6477

Tiffany.Wright@dhs.arkansas.gov

Phone Number

E-mail Address

Director, Division of Children & Family Services

Title

February 16, 2024

Date

## **POLICY V-C: FAMILY SUPPORT FUND**

03/2024

The Division of Children and Family Services will ensure that staff has prompt access to the Family Support Fund to prevent children from entering or remaining in foster care due to the parents' financial inability to meet the children's basic needs or to participate in case plan services. Examples may include short-term assistance with utilities, gas cards, or purchases for the home to help ensure the safety of children (such as a crib to ensure a safe sleep environment for an infant). All requests will be assessed on a case-by-case basis. Requests to access the Family Support Fund for families involved in child maltreatment investigations and any type of case services will be made via the assigned Family Service Worker's chain of command.

## **POLICY VIII-I: ADOPTION SUBSIDY**

03/2023

### **SUBSIDY AMOUNT**

If eligible, the Division will make adoption assistance payments to adoptive parents in amounts so determined through an adoption assistance agreement. The amount of such payment:

- 1) Will take into account the circumstances of the adopting parents and the needs of the child being adopted;
- 2) May be adjusted periodically with the concurrence of the adoptive parents to reflect changing circumstances; and
- 3) May not exceed the child's foster care maintenance payment that is in effect at the time a subsidy is approved (if the child with respect to whom the adoption assistance payment is made had been in a resource home).

The standard foster care maintenance board rate scale is found below. New rates will not be paid until the child reaches the next age range.

<b>Age of Child</b>	<b>Amount of Monthly Maintenance</b>
Birth through five (5) years	\$451.00
Six (6) through eleven (11) years	\$484.00
Twelve (12) through fourteen (14) years	\$517.00
Fifteen (15) through seventeen (17) years	\$550.00

## **POLICY VII-M: FINANCIAL SUPPORT TO RESOURCE PARENTS**

03/2024

The Division of Children and Family Services (DCFS or Division) provides foster care maintenance payments for a child in foster care to help defray the costs of providing:

- Food
- Shelter
- Clothing
- Daily supervision
- Standard school supplies
- A child's personal incidentals
- A reasonable monthly allowance to the child depending on the child's age and other factors
- Liability insurance with respect to the child
- Reasonable travel to the child's daycare, school, or extracurricular activities

The foster care maintenance payment is more frequently referred to as a monthly board payment. The monthly board payment is for the period starting on the first of the month and ending the last day of the month and is paid by the fifteenth of the subsequent month. If a child is absent from the resource home for hospitalization or a trial placement for ten (10) days or less and is to return to that resource home, no change of status in the Division's information management system is necessary. However, the child's Family Service Worker (FSW) must always be advised of an absence from the home. The agency pays according to the number of nights a child is in the resource home. Payment for stays of less than twenty-four (24) hours will be based upon a daily rate determined by the Division. If a child is in the home for part of a month, a partial board payment will be made.

Resource parents may choose to have their board payment directly deposited into their checking account or issued as a paper warrant and mailed to the resource home. DCFS strongly encourages the use of direct deposit to prevent payment delays when a warrant is lost in the mail or misplaced.

For children who are IV-E eligible and placed in a IV-E reimbursable foster care placement, title IV-E funds the board payment. For children who are either not IV-E eligible or who are placed in a non-IV-E reimbursable foster care placement, other appropriate funding streams fund the board payment.

**Standard Board Rate**

DCFS shall pay resource parents a standard monthly board rate according to the chart below. These rates are effective for board payments beginning August 2023 and continuing thereafter.

The Division shall review the amount of payment made for foster care maintenance every five (5) years to assure continued appropriateness.

<b>Birth through 5 years</b>	<b>\$451.00 Monthly</b>
Board and Care	381.00
Clothing	50.00
Personal Needs	20.00
<b>6 through 11 years</b>	<b>\$484.00 Monthly</b>
Board and Care	397.00
Clothing	57.00
School and Personal Needs	30.00
<b>12 through 14 years</b>	<b>\$517.00 Monthly</b>
Board and Care	410.00
Clothing	67.00
School and Personal Needs	40.00
<b>15 through 17 years</b>	<b>\$550.00 Monthly</b>
Board and Care	425.00
Clothing	80.00
School and Personal Needs	45.00

**Special Board Rate**

When resource parents are caring for a child with special needs and the child's needs cannot be met with the standard board payment, the Division may provide the resource parents with a board payment that exceeds the standard board rates listed above. This is referred to as a special board rate.

*Increased Special Board Rates*

The amount of higher special board rates will be based on the nature and extent of the child's special needs and any additional activities that a resource parent takes part in to support those needs. Increased special board payments may also be considered when the resource parent is directly involved in certain family time activities that support reunification.

To determine the exact amount of an increased special board rate, local DCFS staff will complete the CFS-304: Justification of Special Board Rate after receiving documentation of the child's special needs and any additional activities required of or offered by the resource parents to meet those needs and submit to the DCFS Area Director. The Area Director or designee will have final approval of the CFS-304: Justification of Special Board Rate. The Area Director may consult with the DCFS Foster Care Unit Manager or designee for review and technical assistance as needed. Any special board rate over one thousand dollars (\$1,000) will also be reviewed and approved or denied by the Assistant Director of Field Operations or designee.

Other reasons for an increased special board rate that do not require the completion of the CFS-304: Justification of Special Board Rate form may occur under the following situations:

Board Payments to Youth in the Extended Foster Care Program

Refer to Policy VIII-B: Extended Foster Care for requirements to continue board payments for youth eighteen to twenty-one (18-21) years of age who participate in the Extended Foster Care Program and may qualify for an increased special board rate based upon their individualized budget. Board payments must end the day the youth elects to leave the Extended Foster Care Program or the end of the month of their twenty-first birthday.

Providing Financial Support for Children of a Minor in Foster Care

When a minor in foster care or young adult in Extended Foster Care has a child of their own who is placed in the same resource home or other provider setting, foster care maintenance payments made on behalf of the youth shall include the board amounts listed above based on the age of the minor or young adult's child.

For youth participating in the Extended Foster Care Program who live independently and have a child or children of their own, the board payment for the youth in the Extended Foster Care Program may also be augmented to assist the youth in caring for their child in their custody. The maximum amount by which the youth's board payment will be increased is the board amount listed above based on the age of the young adult's child. The amount will also take into account the youth's overall budget when determining the additional amount designed to help care for the child of the young adult.

Providing a Comparable Board Rate to a Placement State

Increased special board rates may also be approved for children taken into foster care in Arkansas but placed via the Interstate Compact on the Placement of Children (ICPC) with kin in another state. In these situations, the Assistant Director of Field Operations or

designee may approve an increased special board rate up to the amount of the placement state's standard foster care board rate for the age of the applicable child.

A special board rate becomes effective the day the Area Director or Assistant Director, as applicable, authorizes the rate to become active. Retroactive payments will be determined on a case-by-case basis and must be approved by the Area Director or Assistant Director of Field Operations or designee.

While the child remains in the resource home placement, the local DCFS staff will review the continuing need for a special board rate as directed by the Area Director and, if appropriate, resubmit for reevaluation.

The special board rate will also be reviewed in consultation with new resource parents each time a child changes placement, to determine if the new resource placement is providing the same level of care and that the child continues to have the same behaviors or special needs. If the current approved special board rate is still appropriate, the CFS-304: Justification of Special Board Rate does not have to be completed again nor sent through the approval process each time the child changes placement.

DCFS staff will inform the resource parents in writing of the ultimate decision to continue or discontinue any currently approved special board rate and the reason for that decision, noting that any continued approval for special board rate is for the period designated by the Area Director and the documentation of continuing need must be reviewed accordingly.

Any increased special board rate request for a resource home that will serve as a pre-adoptive placement must be provided to the Area Director or designee for review sixty (60) days prior to a pre-adoptive placement being made.

#### *Decreased Special Board Rates*

A special board rate can also be a decrease in the standard board amount. Federal law prohibits any individual from receiving more than one (1) federal payment designed to provide financial assistance for the care of another individual in their care. As a result, DCFS will reduce a child's monthly board payment rate dollar for dollar based on the amount of the monthly federal benefits that a child receives when the resource home provider is the payee for that child. The resource parent will be expected to use the funds for which they are payee on behalf of the child to support the child's care. In instances when the child's federal benefits exceed the standard board amount, the DCFS board amount entered will be zero (0) dollars.

The only exception to reducing the DCFS board amount when the child is receiving other federal benefits is when a child in foster care receives Title II Death Benefits and the resource parent is the payee.

A child's income must be monitored as a resource in the home and the payee for the income must report how the income is used based on the requirement for the issuing source of the income. Resource parents are responsible for completing all reporting requirements to the payment source when becoming payee for a child's benefits. Resource parents are also required to report any change in payee status to DCFS. To assist in this process, DCFS staff will inquire about payee status during visits to the resource home.

### **Medical Expenses**

Medicaid is the primary payment source for medical and dental services for children in foster care, including hospitalization. If a child in foster care is eligible for Medicaid, resource parents are required to use a Medicaid provider for meeting the medical needs of the child. If Medicaid cannot cover such expenses, state funds may be a secondary payment option. Other services or supplies needed by the child must be authorized and approved by DCFS. A child will not be denied medical services due to being ineligible for Medicaid.

### **Transportation**

Transportation costs associated with the child's case plan, such as attending Family Team Meetings and court well as transporting the child to family time and medical appointments may be reimbursed. Allowable transportation costs are reimbursed to the resource parent at a rate determined by DCFS. To be reimbursed, the resource parent must complete a travel reimbursement request in the designated web-based system. Requests for travel reimbursement must be submitted at least monthly.

### **Clothing**

As stated above, a portion of the monthly board allowance is designed to go toward defraying the cost of clothing for a child placed in a resource home. The portion for clothing costs may be spent monthly or may be saved and used for a larger purchase later. All receipts from the purchase clothes must be retained by the resource parent and given to the resource worker during the resource worker's quarterly visit.

However, when a child first enters foster care, DCFS may issue an initial clothing order for the purchase of new clothing. Initial clothing orders will be issued on a case-by-case basis. Not all children will need to purchase new clothing as they may enter foster care with ample and suitable clothing. The FSW will assess what clothing items are needed.



Supplemental clothing orders may also be approved for circumstances in which a child in foster care needs new clothing items that exceed the amount included in the monthly board payment. Examples include, but are not limited to, when a child has a significant growth spurt, the child has an event for a school, extracurricular, or faith-based event that requires special attire, or the child needs new items for an upcoming season. The resource parent must obtain prior approval from the FSW for supplemental clothing orders. Supplemental clothing orders will be approved no more than once a quarter.

Children will be included in the selection of their own clothing as age and developmentally appropriate. All clothing purchased for a child in foster care will be clean, well-fitting, seasonally appropriate, and comparable to community standards. Any clothing purchased for a child, whether through monthly board payment funds or supplemental clothing orders, and any other personal needs items will be sent with the child upon any change in placement.

### **Incidental Expense Fund**

An Incidental Expense Fund for children ages birth to thirteen (13) years of age exists to provide items and activities intended to help normalize a child's life experience while in care. Examples include but are not limited to, camp fees, extracurricular activities, school uniforms, field trips, and specialized school supplies such as graphing calculators required by the school. However, standard school supplies will be covered by personal needs monies within the board payment.

The Incidental Expense Fund is intended for items or activities that cost twenty-five dollars (\$25) or more and must be accompanied by documentation of need for the expense. Items covered by the monthly board payment or contracts are not eligible for reimbursement from this fund. In addition, the Incidental Expense Fund will not be used for holiday gifts.

The FSW will assist the resource parent in accessing these funding requests when the money is needed for a situation that meets these policy guidelines. These funding requests must also be approved by the DCFS Financial Support Unit. Use of the Incidental Expense Fund will be limited to one (1) request per quarter. Resource parents must have prior approval for such purchases.

### **Transitional Youth Services Funded through Chafee**

Youth that are fourteen (14) years of age and older in foster care are eligible for John H. Chafee Foster Care Program for Successful Transition to Adulthood funding for a variety of activities designed to promote normalcy, develop leadership skills, or help youth in foster care prepare for adulthood. The maximum amount allowed for Chafee-funded activities is dependent on the

particular activity and must receive final approval from the DCFS Director or designee. Generally, the use of Chafee funding will be pre-approved. However, Chafee funding may be provided on a reimbursement basis when necessary if all appropriate documentation is provided.

**Additional Assistance with Expenses**

In addition to the items already described, the following items are allowable with the approval of the County Office Supervisor or designee:

- A. Emergency medical services and drugs that are not covered by Medicaid.
- B. Childcare or baby-sitting fees may also be defrayed with financial support from DCFS, when the resource parent is required to attend resource parent training, if and when funding is available. This does not include childcare for a resource parent's employment as any regular childcare arrangements for a child in foster care will be arranged through the state's Child Care Assistance Program.